

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3

4 Steven Ringelberg,

5 Plaintiff

6 v.

7 Vanguard Integrity Professionals-Nevada, Inc., et al.,

8 Defendants
9

2:17-cv-01788-JAD-PAL

Order

[ECF Nos. 33, 34]

10 On February 5, 2018, plaintiff filed a Third Amended Complaint¹ with leave of court,²
11 superseding his Second Amended Complaint.³ The new complaint moots Defendants' Motion to
12 Dismiss Plaintiff's Second Amended Complaint,⁴ which was filed with a motion to seal.⁵ So I deny
13 the motion to dismiss the second amended complaint without prejudice to the defendants' ability to
14 file a new motion to dismiss the third-amended complaint. Because the motion to dismiss the
15 second-amended complaint was based on a confidential document, I find a compelling reason⁶ to seal
16 the motion and grant the motion to seal that now-mooted motion. So, the motion to dismiss the
17 second-amended complaint will remain under seal.

18 Accordingly, IT IS HEREBY ORDERED that:

- 19 • Defendants' Motion to Dismiss Plaintiff's Second Amended Complaint [ECF No. 34] is
20 **DENIED** without prejudice as moot;

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22 ¹ ECF No. 87.

23 ² ECF No. 86.

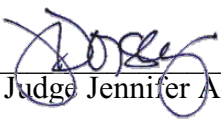
24 ³ ECF No. 19.

25 ⁴ ECF No. 34. *Lacey v. Maricopa Cty.*, 693 F.3d 896, 927 (9th Cir. 2012) ("the general rule is that
26 an amended complaint supersedes the original complaint and renders it without legal effect").

27 ⁵ ECF No. 33.

28 ⁶ *Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1182 (9th Cir. 2006).

1 • Defendants' Motion to Seal that now-mooted motion [ECF No. 33] is GRANTED.
2 Dated February 20, 2018.

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5 U.S. District Judge Jennifer A. Dorsey
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